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10/802,909	03/17/2004	Natasa Milic-Frayling	MS306871.1	4612

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EXAMINER
RAYYAN, SUSAN F

ART UNIT	PAPER NUMBER
2167	

NOTIFICATION DATE	DELIVERY MODE
10/20/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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	Application No.	Applicant(s)
Office Action Summary	10/802,909	MILIC-FRAYLING ET AL.
	Examiner	Art Unit
	SUSAN FOSTER RAYYAN	2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>25 June 2008</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-25 and 27-29</u> is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-25 and 27-29</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All   b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
　Paper No(s)/Mail Date <u>10/5/2008</u>.

4) ☐ Interview Summary (PTO-413)
　Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

DETAILED ACTION

1.   Claims 1-25, 27-29 are pending.

Information Disclosure Statement

2.   The information disclosure statement (IDS) submitted on October 5, 2008. The

submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the

information disclosure statement is being considered by the examiner.

Specification

3.   The specification is objected to as failing to provide proper antecedent basis for

the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction

of the following is required: computer readable storage medium.

Claim Rejections - 35 USC § 101

4.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

the claimed invention is directed to non-statutory subject matter.

Claims 1-9, 20, 27, 29 are rejected as being directed to non-statuatory

subject matter.

Claims 1-9,27,29 are directed to a system that facilitates search query results

comprising a client-side receiving component that accepts at least one query result

from at least one search service and a client-side processing component that provides

user-dependent query result information derived from the query result …. As

described in the Specification on page 6, lines 14-16, the term "component" is intended

to refer to a computer-related entity, either hardware, a combination of hardware and

software, software or software in execution. The examiner has interpreted the claims as

software per se and therefore directed to non-statuatory subject matter. In addition the

claims include a computer readable medium which is not defined in the specification

and therefore has been interpreted to include waves, signals, paper and transmission

media which is deemed non-statuatory subject matter.

Claim 20 is directed to a system that facilitates search query results comprising means

for accepting at least one query result from at least one search service and

 means for providing user-dependent query result information derived from the query

result and the user-dependent query result information …. The examiner has interpreted

the claims as software per se and therefore directed to non-statuatory subject matter.

 In addition the claims include a computer readable medium which is not defined in the

specification and therefore has been interpreted to include waves, signals, paper and

transmission media which is deemed non-statuatory subject matter.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and

the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-19, 21-25,27-29 are rejected under 35 U.S.C. 103(a) as being

unpatentable over US Patent Number 6,363,377 issued to Dina Kravets et al

("Kravets") in view of US Patent Number 6,134,548 issued to Edward Gottsman et

al ("Gottsman") in view of US Patent Number 6,405,192 issued to Michael Wayne

Brown ("Brown").

As per independent claim 1, Kravets teaches a system that facilitates search
query results (see Abstract), comprising:
 a client-side receiving component that accepts at least one query result from at least

one search service (column 11, line 65, bridging to column 12, line 1 and Figure 1A,

Reference Numbers 18, 30, receiving search results); and

a client-side processing component that provides ... query result information derived

from the query result accepted by the client-side receiving component (column 4, lines

20-21, display results of the search and column 7, lines 49-65, user votes negatively on

a cluster of his informational needs then the system re-clusters the remaining

documents).

Kravets does not explicitly teach user-dependent. Gottsman discloses the claimed

user-dependent (each active user intention is given a Nickname which is the displayed

name the user sees on the screen, column 35, lines 50-57, Figures 12-14). It would

have been obvious to a person of ordinary skill in the art at the time of the invention

was made to modify Kravets with user-dependent to customize the content to show

only the content that relates to a particular intention (column 35, lines 37-40).

Kravets in view of Gottsman do not explicitly teach the user dependent query

information includes an indication of percentage of the quantity of a single content type

as compared to total content type within at least one linked document in the query

result, wherein the percentage is at least ...displayed on a display device .... Brown

does teach this limitation at column 8, lines 20-45 as determining the percentage of

broken links and displaying to the user to make informed decisions about which links to

follow, claimed content type equates to links, at column 8, lines 46-column 9, line14,

positive preferences (content type) in the webpage associated with the link such that if a

webpage contains more than a threshold (percentage of total content) of the positive

preferences, appearance of the webpage is altered. It would have been obvious to one

of ordinary skill in the art at the time of the invention to modify Kravetts in view of

Gottsman with the user dependent query information includes an indication of

percentage of content type as compared to total content type within at least one linked

document in the query result as described by Brown (column 2, lines 10-12).

As per claim 2, same as claim augments above and Gottsman discloses the claimed

user model (each User Persona has the Persona data model and has many number of

active User Intentions. Each active User intention is given a nickname which is the

display name the user sees on the screen, see column 35, lines 50-57, and Figures 12-

24).

As per claim 3, same as claim arguments above and Kravets teaches:

information related to at least one selected from the group consisting of a user context,

a user profile, and a user query result rule (clusters which receive a yes vote are saved

along with the query in a search context folder. A user as the ability to find a query and

its results by either browsing the search context folders or doing a keyword based

search for the among all the context folders, column 7, lines 61-65).

 As per claim 4, same as claim arguments above and Kravets teaches:

client-side processing component provides the user-dependent query result information

via at least one visual indicator (column 1, lines 14-16, refining and improving search

queries and for organizing the results of a search query by different and overlapping

criteria).

As per claim 5, same as claim arguments above and Kravets teaches:

the visual indicator comprising at least one selected from the group consisting of

highlighting, color, intensity of color, geometric shape, and quantity of geometric shapes

(column 1, lines 14-16, refining and improving search queries and for organizing the

results of a search query by different and overlapping criteria).

 As per claim 6, same as claim arguments above and Gottsman teaches:

the client-side processing component provides the user-dependent query result

information via at least one aural indicator (column 38, lines 27-41, generate verbal

summary for the user).

As per claim 7 is rejected based on the same rationale as claim 1.

As per claim 8, same as claim arguments above and Brown teaches:

he evaluation of at least one link comprising at determination as to whether the link
corresponds to at least one selected from the group consisting of a document with text
and a document with links (column 6, lines 25-30).

As per claim 9, same as claim arguments above and Brown teaches:
the content type is at least one of text, graphics, and links (at column 8, lines 20-45 as

links.

As per independent claim 10, Kravets teaches a method for facilitating search query

results (see Abstract),   comprising:

 receiving at least one query result from at least one search service(column 11, line 65,

bridging to column 12, line 1 and Figure 1A, Reference Numbers 18, 30, receiving

search results); and

 providing … query result information derived from the query result and

   the user-dependent query result information determined via client-side processing.

(column 4, lines 20-21, display results of the search and column 7, lines 49-65, user

votes negatively on a cluster of his informational needs then the system re-clusters the

remaining documents).

        Kravets does not explicitly teach user-dependent. Gottsman discloses the

claimed user-dependent (each active user intention is given a Nickname which is the

displayed name the user sees on the screen, column 35, lines 50-57, Figures 12-14). It

would have been obvious to a person of ordinary skill in the art at the time of the

invention was made to modify Kravets with user-dependent to customize the content to

show only the content that relates to a particular intention (column 35, lines 37-40).

Kravets in view of Gottsman do not explicitly teach the user-dependent query result

information including a list of names of at least one of people or companies extracted

from at least one search result, each name includes one or more links to documents

related to the person or company associated with the name. Brown teaches this at

figure 9 and column 9, line 60-col.10, lines 10, as figure 9 depicts search results

including the link entitled Gary Paolli, Next to the link is a thumbnail with a border which

indicates the whether the link contains user desirable criteria. It would have been

obvious to one of ordinary skill in the art at the time of the invention to modify Kravetts in

view of Gottsman with the user-dependent query result information including a list of

names of at least one of people or companies extracted from at least one search result,

each name includes one or more links to documents related to the person or company

associated with the name to enable them to make more informed decisions about with

link to follow as described by Brown at column 2, lines 10-12.

As per claim 11, same as claim arguments above and Gottsman discloses the claimed

user model (each User Persona has the Persona data model and has many number of

active User Intentions. Each active User intention is given a nickname which is the

display name the user sees on the screen, see column 35, lines 50-57, and Figures 12-

24).

As per claim12 same as claim arguments above and Kravets teaches:

the user model comprising a model that utilizes, at least in part, information related

to at least one selected from the group consisting of a user context, a user profile, and a

user query result rule(clusters which receive a yes vote are saved along with the query

in a search context folder. A user as the ability to find a query and its results by either

browsing the search context folders or doing a keyword based search for the among all

the context folders, column 7, lines 61-65).

As per claim 13 same as claim arguments above and Kravets teaches:

relaying the user-dependent query result information via at least one search result page

indicator (column 1, lines 14-16, refining and improving search queries and for

organizing the results of a search query by different and overlapping criteria).

As per claim 14 same as claim arguments above and Brown teaches:
displaying, automatically, at least one thumbnail relating to a search query result
page in response to a selection of a corresponding search query result link by at least
one user and navigating to a portion of the search query result page and turning ON
at least one search result page indicator in response to an interaction with the
thumbnail by the user (column 2, lines 31-34).

As per claim 15 same as claim arguments above and Gottsman teaches:

the search result page indicator comprising … an aural indicator (column 38, lines 27-

41, generate verbal summary for the user).

As per claim 16 same as claim arguments above and Kravets teaches;

the visual indicator comprising at least one selected from the group consisting of

symbols, highlighting, color, intensity of color, geometric shape, and quantity of

geometric shapes(column 1, lines 14-16, refining and improving search queries and for

organizing the results of a search query by different and overlapping criteria).

As per claim 17 same as claim arguments above and Brown teaches:

deriving at least part of the user-dependent query result information via evaluating at

least one link provided by the query result (column 6, lines 24-40 as parse document

links and display change information web page appearance in a user customizable

way).

As per claim 18 same as claim arguments above and Brown teaches:
determining whether the link corresponds to at least one selected from the group

consisting of a document with text and a document with links (column 6, lines 25-30,

column 9, lines 1-15).

 As per claim 19 same as claim arguments above and Brown teaches:

providing an indicator for the link that indicates at least one selected from the

 group consisting of a text-content link and a link-content link (column 6, lines 25-30).

As per independent claim 21, Kravets teaches a user interface, comprising:

an interface adapted to communicate enhanced search query results to a user(column

11, line 65, bridging to column 12, line 1 and Figure 1A, Reference Numbers 18, 30,

receiving search results);

 at least one input associated with the interface to provide information related to at

least one search query result(column 4, lines 20-21, display results of the search and column 7, lines 49-65, user votes negatively on a cluster of his informational needs then the system re-clusters the remaining documents).

Kravets does not explicitly teach user-dependent. Gottsman discloses the claimed user-dependent (each active user intention is given a Nickname which is the displayed name the user sees on the screen, column 35, lines 50-57, Figures 12-14). It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Kravets with user-dependent to customize the content to show only the content that relates to a particular intention (column 35, lines 37-40).

Kravets in view of Gottsman do not explicitly teach at least one output … to indicate … search query result information and the output utilizing, at least in part, a thumbnail view to convey the information, thumbnail view includes highlighting of the relevant content in the at least one query result, the relevance based upon a current context of the user, the current context is inferred based upon automated monitoring of actions relating to a task that a user is currently performing. Brown teaches this (displaying to the user and column 9, lines 67, thumbnail , figure 9 and column 9, line 60-col.10, lines 10, as figure 9 depicts search results including the link entitled Gary Paolli, Next to the link is a thumbnail with a border which indicates the whether the link contains user desirable criteria. In addition column 10, lines 30-45, highlight thumbnail image of links that exceed a user threshold) to make informed decisions about which links to follow. It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Kravets in view of Gottsman with at least one output … to

indicate ... search query result information and the output utilizing, at least in part, a

thumbnail view to convey the information, thumbnail view includes highlighting of the

relevant content in the at least one query result, the relevance based upon a current

context of the user , the current context is inferred based upon automated monitoring of

actions relating to a task that a user is currently performing to convey the information to

make informed decisions about which links to follow as described by Brown (column 2,

lines 10-12).

As per claim 22, same as claim augments above and Gottsman discloses the claimed

user model (each User Persona has the Persona data model and has many number of

active User Intentions. Each active User intention is given a nickname which is the

display name the user sees on the screen, see column 35, lines 50-57, and Figures 12-

24).

As per claim 23 same as claim arguments above and Kravets teaches:

the input comprising at least one selection of at least one search query result (column 7,

lines 49-50, vote selection is a selection of a query result).

As per claim 24 same as claim arguments above and Brown teaches:

the output comprising an interactive output that responds to a user selection within the

thumbnail view (column 9, line 1- column 10, line 11)

As per claim   25, same as claim arguments above and Brown teaches:

the output comprising at least one indicator of whether a search query result link is

at least one selected from the group consisting of a text-content link and a link-content

link (column 6, lines 25-30).

   Claims 27-29, are rejected based on the same rationale as claim 1.

   Claim 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent

   Number 6,363,377 issued to Dina Kravets et al ("Kravets") and   US Patent Number

   6,134,548 issued to Edward Gottsman et al ("Gottsman") and US Patent Number

   6,405,192 issued to Michael Wayne Brown ("Brown") and US 6055542 issued to

   Christopher Robbins Nielson et al ("Nielson").

   As per independent claim 20, Kravets teaches a system that facilitates search query

results (see Abstract):

 means for accepting at least one query result from at least one search service(column

11, line 65, bridging to column 12, line 1 and Figure 1A, Reference Numbers 18, 30,

receiving search results); and

 means for providing … query result information derived from the query result and the

user-dependent query result information determined via client-side processing (column

4, lines 20-21, display results of the search and column 7, lines 49-65, user votes

negatively on a cluster of his informational needs then the system re-clusters the remaining documents).

Kravets does not explicitly teach user-dependent. Gottsman discloses the claimed user-dependent (each active user intention is given a Nickname which is the displayed name the user sees on the screen, column 35, lines 50-57, Figures 12-14). It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Kravets with user-dependent to customize the content to show only the content that relates to a particular intention (column 35, lines 37-40).

Kravets in view of Gottsman do not explicitly teach the, highlighting the subpart that has the highest score, automatically scrolling to the highlighted subpart, providing the automatically scrolled and highlighted user-dependent query result information derived from the query result. Brown does teach this limitation at column 8, lines 20-45 displaying and column 10, lines 30-45, highlight thumbnail image of links that exceed a user threshold to the user to make informed decisions about which links to follow. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kravetts in view of Gottsman with highlighting the subpart that has the highest score, automatically scrolling to the highlighted subpart, providing the automatically scrolled and highlighted user-dependent query result information derived from the query result to convey the information to make informed decisions about which links to follow as described by Brown (column 2, lines 10-12).

Kravets and Gottsman and Brown do not explicitly teach partitioning the query result into a plurality of subparts, scoring each subpart for relevance based upon a user context (at column. 5, lines5-16, assigning relevance to each section).

Nielson teaches partitioning the query result into a plurality of subparts, scoring each subpart for relevance based upon a user context (at column. 5, lines5-16, assigning relevance to each section). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kravets and Gottsman and Brown with partitioning the query result into a plurality of subparts, scoring each subpart for relevance based upon a user context to quickly spot the areas of interest and move to a desired point of interest within the webpage as described by Nielson at column 2,, lines 18-20.

Response to Arguments

6.   Applicant's arguments filed June 25, 2008 have been fully considered but they are not persuasive.

7.   Regarding the 35 USC 101 rejections, the claims where amended to include a "computer readable storage medium". Examiner was unable to locate in the specification the "computer readable storage medium" . Since there is no antecedent bases for the limitation the Examiner has interpreted the computer readable storage medium to include waves ,signals and transmission media which is non-statuatory. In addition, with the amendment to embody the system on the computer readable storage medium, the system claim now appears to be a computer program product. Applicant

should consider rewording the claim. The claims are also interpreted as software per se as each of the limitations are described in the specification as software.

8.　　　Applicant argues prior art of record does not teach percentage of content type as compared to total content in a linked document.　The specification describes on page 26, lines 1-10 linked documents are evaluated to determine their content for text content, graphic content and/or link content. The evaluation is a measure of content such as percentage. Brown does teach percentage of content type as compared to total content in a in a linked document　at column 8, lines 20-45 as determining the percentage of broken links(content type) and displaying to the user to make informed decisions about which links to follow , claimed content type equates to links. Calculating a percentage of the percentage of broken links (content type) to the number of good links (content).　In addition, Brown discloses at column 8, lines 46-column 9, line14, positive preferences (content type) in the webpage associated with the link such that if a webpage contains more than a threshold (percentage of total content) of the positive preferences, appearance of the webpage is altered.

Applicant argues prior art of record does not teach the user-dependent query result information including a list of names of at least one of people or companies extracted from at least one search result, each name includes one or more links to documents related to the person or company associated with the name. Brown teaches this at figure 9 and column 9, line 60-col.10, lines 10, as figure 9 depicts search results

including the link entitled Gary Paolli, Next to the link is a thumbnail with a border which

indicates the whether the link contains user desirable criteria.

   Applicant argues prior art of record does not teach partitioning the query result into a

plurality of subparts, scoring each subpart for relevance based upon a user context,

highlighting the subpart that has the highest score , automatically scrolling to the

highlighted subpart, providing the automatically scrolled and highlighted user-dependent

query result information derived from the query result. Kravets and Gottsman and

Brown do not explicitly teach partitioning the query result into a plurality of subparts,

scoring each subpart for relevance based upon a user context (at column. 5, lines5-16,

assigning relevance to each section). Nielson teaches partitioning the query result into a

plurality of subparts, scoring each subpart for relevance based upon a user context (at

column. 5, lines5-16, assigning relevance to each section). It would have been obvious

to one of ordinary skill in the art at the time the invention was made to modify Kravets

and Gottsman and Brown with partitioning the query result into a plurality of subparts,

scoring each subpart for relevance based upon a user context to quickly spot the areas

of interest and move to a desired point of interest within the webpage as described by

Nielson at column 2,, lines 18-20.

   Applicant argues prior art of record does not teach the thumbnail view includes

highlighting of the relevant content in the at least one query result, the relevance based

upon a current context of the user , the current context is inferred based upon

automated monitoring of actions relating to a task that a user is currently performing.

Brown teaches this at figure 9 and column 9, line 60-col.10, lines 10, as figure 9 depicts

search results including the link entitled Gary Paolli, Next to the link is a thumbnail with

a border which indicates the whether the link contains user desirable criteria. In addition

column 10, lines 30-45, highlight thumbnail image of links that exceed a user threshold.

Conclusion

9.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Contact Information

10.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Susan Rayyan whose telephone number is (571) 272-

1675. The examiner can normally be reached M-F: 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone

number for the organization where this application or proceeding is assigned is

703-872-9306.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR

only. For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Susan Rayyan/

October 13, 2008

/Luke S. Wassum/
Primary Examiner
Art Unit 2167